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7  
8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2006-223

12 **BRIDGET HIRSCH RICE**

6817 Mill Springs Court

13 Stockton, CA 95219

**DEFAULT DECISION**  
**AND ORDER**

[Gov. Code, §11520]

14 Registered Nurse License No. 482239

Respondent.

15  
16 **FINDINGS OF FACT**

17 1. On or about March 26, 2007, Complainant Ruth Ann Terry, M.P.H., R.N.,  
18 in her official capacity as the Executive Officer of the Board of Registered Nursing, Department  
19 of Consumer Affairs, filed Accusation No. 2006-223 against Bridget Hirsch Rice (Respondent)  
20 before the Board of Registered Nursing (Board).

21 2. On or about August 31, 1992, the Board issued Registered Nurse License  
22 No. 482239 to Respondent. The license was in full force and effect at all times relevant to the  
23 charges brought herein and will expire on October 31, 2009, unless renewed.

24 3. On or about November 14, 2007, Wallace Greene, an employee of the  
25 Department of Justice, served by Certified and First Class Mail a copy of Accusation No.  
26 2006-223, Statement to Respondent, Notice of Defense, Request for Discovery, and Government  
27 Code sections 11507.5, 11507.6, and 11507.7 to Respondent's address of record with the Board,  
28 which was and is 6817 Mill Springs Court, Stockton, CA 95219. A copy of the Accusation is

1 attached as "Exhibit A," and is incorporated herein by reference.

2 4. Service of the Accusation was effective as a matter of law under the  
3 provisions of Government Code section 11505, subdivision (c).

4 5. On or about December 11, 2007, the aforementioned documents served by  
5 First Class Mail were returned by the U.S. Postal Service marked "Undeliverable as Addressed,  
6 Forwarding Order Expired." The aforementioned documents served by Certified Mail were not  
7 returned nor was a signed certified mail receipt returned indicating the documents had been  
8 received by Respondent.

9 6. Government Code section 11506 states, in pertinent part:

10 (c) The respondent shall be entitled to a hearing on the merits if the respondent  
11 files a notice of defense, and the notice shall be deemed a specific denial of all parts of the  
12 accusation not expressly admitted. Failure to file a notice of defense shall constitute a waiver of  
13 respondent's right to a hearing, but the agency in its discretion may nevertheless grant a hearing.

14 7. Respondent failed to file a Notice of Defense within 15 days after service  
15 upon her of the Accusation, and therefore waived her right to a hearing on the merits of  
16 Accusation No. 2006-223.

17 8. California Government Code section 11520 states, in pertinent part:

18 (a) If the respondent either fails to file a notice of defense or to appear at the  
19 hearing, the agency may take action based upon the respondent's express admissions or upon  
20 other evidence and affidavits may be used as evidence without any notice to respondent.

21 9. Pursuant to its authority under Government Code section 11520, the Board  
22 finds Respondent is in default. The Board will take action without further hearing and, based on  
23 Respondent's express admissions by way of default and finds that the allegations in Accusation  
24 No. 2006-223 are true.

25 10. The total costs for investigation and enforcement are \$22,071.75 as of  
26 January 18, 2008.

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1 DETERMINATION OF ISSUES

2 1. Based on the foregoing findings of fact, Respondent Bridget Hirsch Rice  
3 has subjected her Registered Nurse License No. 482239 to discipline.

4 2. The agency has jurisdiction to adjudicate this case by default.

5 3. A copy of the Accusation is attached.

6 4. The Board of Registered Nursing is authorized to revoke Respondent's  
7 Registered Nurse License based upon the following violations alleged in the Accusation:

8 a. Pursuant to Business and Professions Code section 821,  
9 Respondent is subject to disciplinary action for Failure to Comply with a Psychiatric  
10 Examination Order pursuant to Business and Professions Code section 820.

11  
12 ORDER

13 IT IS SO ORDERED that Registered Nurse License No. 482239, heretofore  
14 issued to Respondent Bridget Hirsch Rice, is revoked.

15  
16 Pursuant to Government Code section 11520, subdivision (c), Respondent may  
17 serve a written motion requesting that the Decision be vacated and stating the grounds relied on  
18 within seven (7) days after service of the Decision on Respondent. The agency in its discretion  
19 may vacate the Decision and grant a hearing on a showing of good cause, as defined in the  
20 statute.

21 This Decision shall become effective on April 14, 2008.

22 It is so ORDERED March 14, 2008

23 LaTranene N. Tate  
24 FOR THE BOARD OF REGISTERED NURSING

25  
26 DEPARTMENT OF CONSUMER AFFAIRS

27 Attachment: Exhibit A [Accusation No. 2006-223]

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Exhibit A  
Accusation No. 2006-223

1 EDMUND G. BROWN JR., Attorney General  
of the State of California  
2 FRANK H. PACOE  
Supervising Deputy Attorney General  
3 LESLIE E. BRAST, State Bar No. 203296  
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7 Attorneys for Complainant

8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2006-223

13 **BRIDGET HIRSCH RICE**

14 933 Lincoln Road #5  
Stockton, CA 95207

**A C C U S A T I O N**

15 Registered Nurse License No. 482239

Respondent.

16 Complainant alleges:

17 PARTIES

18 1. Ruth Ann Terry, M.P.H, R.N (Complainant) brings this Accusation solely  
19 in her official capacity as the Executive Officer of the Board of Registered Nursing (Board),  
20 Department of Consumer Affairs.

21 2. On or about August 31, 1992, the Board issued Registered Nurse License  
22 Number 482239 to Bridget Hirsch Rice (Respondent). The license was in full force and effect at  
23 all times relevant to the charges brought herein and will expire on October 31, 2007, unless  
24 renewed.

25 JURISDICTION

26 3. This Accusation is brought before the Board under the authority of the  
27 following laws. All section references are to the Business and Professions Code (Code) unless  
28 otherwise indicated.

1                   4.       Code section 2750 provides, in pertinent part, that the Board may  
2 discipline any licensee, including a licensee holding a temporary or an inactive license, for any  
3 reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

4                   5.       Code section 2764 provides, in pertinent part, that the expiration of a  
5 license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding  
6 against the licensee or to render a decision imposing discipline on the license.

7                   6.       Code section 820 of the Code states:

8                   "Whenever it appears that any person holding a license, certificate or permit under this  
9 division or under any initiative act referred to in this division may be unable to practice his or  
10 her profession safely because the licentiate's ability to practice is impaired due to mental illness,  
11 or physical illness affecting competency, the licensing agency may order the licentiate to be  
12 examined by one or more physicians and surgeons or psychologists designated by the agency.  
13 The report of the examiners shall be made available to the licentiate and may be received as  
14 direct evidence in proceedings conducted pursuant to Section 822."

15                  7.       Code section 821 states:

16                  "The licentiate's failure to comply with an order issued under Section 820 shall  
17 constitute grounds for the suspension or revocation of the licentiate's certificate or license."

18                                   CAUSE FOR DISCIPLINE

19                                   (Failure to Comply with Psychiatric Examination Order)

20                  8.       Respondent is subject to disciplinary action under Code section 821 for  
21 her failure to timely comply with the Board's order for psychiatric examination. The  
22 circumstances are as follows:

23                  9.       On or about June 13, 2006, the Board issued an order requiring  
24 Respondent to submit to examination not more than 30 days from service of the order by a  
25 physician and surgeon specializing in psychiatry or by a psychologist to determine whether her  
26 competency to safely practice nursing is impaired due to mental and/or physical illness. The  
27 order was properly served on Respondent on June 14, 2006. Respondent failed to comply with  
28 the Board's order and has not made contact with Board staff since it was served.


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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 482239, issued to Bridget Hirsch Rice; and,
2. Taking such other and further action as deemed necessary and proper.

DATED: 3/26/07

  
RUTH ANN TERRY, M.P.H, R.N  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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